

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

DARIN ROSS and FIONA ROSS,

Plaintiffs,

v.

**AARP, INC., AARP SERVICES, INC.,
GRUPO COOPERATIVO SEGUROS
MULTIPLES, COOPERATIVA DE
SEGUROS MULTIPLES DE PUERTO
RICO, SEDGWICK CLAIMS
MANAGEMENT SERVICES, INC.,
OVERSEAS INSURANCE AGENCY, INC.,
VERICLAIM, INC., and BYRON
GILCHREST,**

Defendants.

1:19-cv-00057-MEM-EAH

**TO: Pamela L. Colon, Esq.
Karen Ellis Carr, Esq.
Eric Roman, Esq.
Mattie Bowden, Esq.
Andrew C. Simpson, Esq.
Ann Cecile O'Neill, Esq.
Eugenio W.A. Geigel-Simounet, Esq.
Richard H. Hunter, Esq.
Joshua D. Lerner, Esq.
Peter Tepley, Esq.
Victor G. Sanabria, Esq.**

FIRST AMENDED SCHEDULING ORDER

THIS MATTER comes before the Court on the Motions for an Amended Case Management Order filed by Plaintiffs, Dkt. Nos. 219, 252. The Court held a motions hearing on April 4, 2023. Pamela L. Colon, Esq. appeared on behalf of Plaintiffs; Eric Roman, Esq. and Andrew C. Simpson, Esq. appeared on behalf of Defendants AARP, Inc.

Ross v. AARP, Inc.
1:19-cv-00057-MEM-EAH
First Amended Scheduling Order
Page 2

and AARP Services, Inc.;¹ Ann Cecile O'Neill, Esq. appeared on behalf of Defendant Grupo Cooperativo Seguros Multiples; and Joshua D. Lerner, Esq. and Richard H. Hunter, Esq. appeared on behalf of Defendants Sedgwick Claims Management Services, Inc., Vericclaim, Inc., and Byron Gilchrest.

The Court discussed with the attorneys how best to amend the current scheduling order, Dkt. No. 186, with a focus on a new discovery deadlines, given the difficulties in scheduling depositions and in agreeing on a joint protective order. Having heard and considered the parties' concerns, the Court amends the current scheduling order, and sets the following deadlines to govern this case.

WHEREFORE, it is now hereby **ORDERED**:

1. Plaintiffs' First Motion for an Amended Case Management Order, Dkt. No. 219, is **DENIED AS MOOT**.
2. Plaintiffs' Second Motion for an Amended Case Management Order, Dkt. No. 252, is **GRANTED IN PART** to the extent it requests an extension of deadlines, but **DENIED IN PART** to the extent that the Court has not adopted all proposed deadlines.
3. All factual discovery, including written discovery and fact witness depositions, shall be completed on or before **September 22, 2023**.
4. Mediation shall be completed no later than **May 31, 2023** and shall be conducted pursuant to Local Rules of Civil Procedure Rule 3.2.

¹ Karen Ellis Carr, Esq. and Mattie Bowden, Esq. also appeared for these Defendants via phone.

Ross v. AARP, Inc.

1:19-cv-00057-MEM-EAH

First Amended Scheduling Order

Page 3

5. Plaintiffs' experts shall be named and copies of their opinions, as provided in Fed. R. Civ. P. 26(a)(2), shall be served no later than **December 22, 2023**.
6. Defendants' experts shall be named and copies of their opinions, as provided in Fed. R. Civ. P. 26(a)(2), shall be served no later than **February 22, 2024**.
7. All experts' depositions, as provided in Fed. R. Civ. P. 26(a)(2), shall be completed no later than **May 30, 2024**. No rebuttal reports are allowed without leave of Court.
8. All dispositive motions shall be filed on or before **July 3, 2024**. If no dispositive motions will be filed in the case, the parties shall file, no later than **June 3, 2024**, a joint notice stating that the parties have not filed and do not intend to file any dispositive motions.
9. A status conference is scheduled for **November 8, 2023**, at **10:00 a.m.** before the undersigned U.S. Magistrate Judge in STX Courtroom 3.
10. No extensions, changes, and/or modification of any dates or deadlines contained herein shall be made without the Court's consent pursuant to Fed. R. Civ. P. 16(b)(4).

ENTER:

Dated: April 12, 2023

/s/ Emile A. Henderson III
EMILE A. HENDERSON III
U.S. MAGISTRATE JUDGE